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III. PUBLIC AND PRIVATE SECTOR PARTNERSHIPS

8. Community/Private Sector Partnerships

At the root of the problems confronting urban/Brownfields communities are massive economic shifts that have marked the past two decades.

Hundreds of thousands of industrial jobs have either disappeared or moved away from the central city and its neighborhoods. While some downtown areas have experienced revival, the jobs created are very different than those which once sustained neighborhoods. For many people in older city neighborhoods, new approaches to rebuilding their lives and communities, new openings to opportunities, are a vital necessity.

In looking at barriers to reinvestment and revitalization, the Brownfields Initiative must look at non-environmental barriers such as high taxes, depressed property values, crime, congestion, redlining, level of community services, and racial discrimination in lending and insurance practices. Among these is environmental contamination--both past and present.

The Public Dialogues sought to engage all institutions about their roles in ensuring healthy and sustainable communities. The Subcommittee took the position that all social institutions--including faith groups, labor unions, universities, philanthropies, business, and others--have a responsibility to participate in a meaningful way in achieving urban revitalization and building healthy and sustainable communities. Their participation should be consistent with community

"Our vision is of an urban village working cooperatively to improve the quality of life and conditions of our neighborhoods with an emphasis on sustainable development that is economically and ecologically sound. We seek to empower and inspire members of our neighborhoods, especially our children and youth, to develop effective responses to the needs of our communities and to promote cooperation, collaboration, and partnership with social service agencies, governments, and the private sector to create liveable communities. We seek to positively impact the social, economic, and spiritual development of our neighborhood and cities. A priority of our Zone is providing safe, decent, and affordable housing. Our vision can become a reality when our community becomes a cooperative village, an extended family that is self-reliant, self-sufficient, and self determined...I think that's one of the most beautiful vision [statements] I have had the opportunity to hear and take part in developing. It is the vision of the Atlanta Empowerment Zone Community."

Sulaiman Madhi
Atlanta Summit Against Poverty
Atlanta, GA, Public Dialogue

"I heard a lot of discussion about involvement and partnership. That's certainly the direction we have to take. But I would suggest taking it one step farther. The community actually has to take charge. It seems to me that if you look at the environmental justice movement, it started with an awakening--a realization that there was a lot of pollution that was victimizing the people living there. The second stage was kind of a reaction stage where people said 'don't put it here; if you want to put a new incinerator up, don't put it here--we have had enough pollution.' Based on what I heard this morning, I suggest that it's time now for communities to actually take charge to create a vision of what they want for their communities, to work with their local government, to make it competitive for somebody to invest that kind of business in that location."

Richard Morrison
Bank of America
Oakland, CA, Public Dialogue

"My father came from the south, [where he worked] as a sharecropper. He got a job in the auto industry, with the UAW. He did not have the education but he had the drive. Because of that, he was able to make a living for himself...Today, our generation does not have the same opportunities. I have several degrees and I'm working in a voluntary capacity. What we are seeing is a lot of frustration, a lot of frustration and anger. These things definitely need to be addressed."

Derrick Willis
Emmanuel Community Center
Detroit, MI, Public Dialogue

empowerment principles. This involves a commitment of real resources--human and financial--for accomplishing the task.

Many participants commented that the Brownfields Initiative must build partnerships not only between community and government agencies, but with other groups and institutions who can assist with urban revitalization. These partnerships are essential to solving problems which are difficult for one entity to address alone. The importance of forging partnerships with youth through schools and other communities was reiterated; young people within a community who possess leadership capabilities can be the solution to many problems. Partnerships must bring all stakeholders to the table as equal partners.

Much distrust of corporations and the business sector exists in communities, especially in places like South Central Los Angeles and Detroit where residents have witnessed a history of corporate disinvestment. However, members of the business community affirmed the importance of an empowered community and the need for forthright dialogue. This could go a long way toward bridging the current gap between community-based planning models and a commitment from developers, industry, and business to better understand and support use of such approaches. Matching worthy community-driven projects with adequate financial resources is a challenge of paramount importance.

Realistically, all parties to community-based planning need to recognize that finding willing developers and investors are key components to redeveloping Brownfields. In many cases, developers have a particular project or proposal in mind as their reason for acquiring property and initiating the redevelopment process. In these situations, the authors of this report urge that developers (and regulators involved in the process) involve communities early in the planning process. Early community participation can ensure that the design and implementation of redevelopment activities are consistent with community goals. In other cases, communities have crafted well-defined visions for their redevelopment and will need to find developers and investors willing to finance such redevelopment. In these cases, regulators should use available resources to facilitate this process.

The Subcommittee is mindful of the fact that EPA's Brownfields Initiative is only a small beginning. It provides resources only for planning, assessment, and partnership building. None of present Brownfields Pilot Project funding goes to actual site cleanup or job training activities. This has been a source of great consternation for the many community groups who are interested in initiating projects around specific Brownfields sites. Nonetheless these funds have played an invaluable role in getting the process started. There also are heartening examples of significant funds being leveraged as a result of the Brownfields Pilot Projects.

Government agencies and societal institutions must not view communities as merely an assortment of needs but as a collection of assets which can be built upon. Great resilience exists in the economic, cultural, and spiritual life of America's communities. There exists many stellar accomplishments, entrepreneurial successes, and significant victories. Efforts must be made to ensure proper media coverage of these authentic signs of hope.

SPECIFIC RECOMMENDATIONS:

8-1. Support efforts to build upon community assets and increase community capacity through information, training, and grassroots organizational development.

8-2. Support community efforts to identify and mobilize institutional resources for community revitalization.

8-3. Support community efforts to press financial institutions to become more responsive to their concerns, particularly through mechanisms like the Community Reinvestment Act.

8-4. Strengthen partnerships between communities and academic institutions as part of efforts to help communities achieve the skills necessary for self-advocacy, increase access to information, and provide a forum for the exchange and testing of innovative ideas.

8-5. Coordinate with philanthropic groups to provide resources to community groups for technical assistance and other needs.

8-6. Promote partnerships between local businesses and the communities where firms are based, including use of community advisory panels.

8-7. Encourage mechanisms to bring together Chambers of Commerce, community groups, and local planning authorities to share information about revitalization and redevelopment goals.

8-8. Encourage suburban residents to participate in, and contribute to, urban revitalization efforts.

8-9. Invite local groups, faith groups, labor organizations, schools, philanthropies and others to play a role in bringing together multiple stakeholders, amplifying the voice of the community, and supporting community volunteer staff who are spread thin with a myriad of commitments.

8. ACTION ITEMS

- ☐ 8a. Institute a Brownfields small grants program (perhaps modeled after the EPA Environmental Justice Small Grants Program) to fund local community groups for the purposes of conducting community education, leadership development, and technical assistance.
- ☐ 8b. Convene a National Urban Brownfields Summit Meeting of all stakeholders working on, or affected by, Brownfields projects as an opportunity to bring together all parties to discuss critical issues, craft unified strategies, and determine actions for follow-up.
- ☐ 8c. Develop educational curriculum for schools that encourages student interest in reclaiming their environment and other ways of developing partnerships with the local educational system--public and private.
- ☐ 8d. Assign staff to work in local groups, universities, and local governments in partnership with local communities.
- ☐ 8e. Support efforts to establish local-based environmental roundtables dedicated to addressing issues of achieving healthy and sustainable communities, including environmental justice, public health, Brownfields, land use planning, residential retention, and other issues.
- ☐ 8f. Support the establishment of a National Urban Revitalization and Brownfields Training Institute to develop and implement training programs for achieving healthy and sustainable communities.

9. Local, State, Tribal, and Territorial Governments

The role of local, state, tribal, and territorial Governments in urban revitalization/ Brownfields issues is an area of great importance. This is particularly true since the Brownfields issue ultimately revolves around voluntary cleanup. Local, state, tribal, and territorial governments each play unique roles and have specific needs. The Subcommittee urges that much attention be given to this area.

Local governments increasingly recognize the importance of addressing contaminated properties and Brownfields issues. Mature urbanized areas are now faced with a second or third generation of development. Properties must be reclaimed and reused if these cities are to remain prosperous. Municipalities are beset with the effects of economic disinvestment job loss, and tax base depletion as well as the negative impacts of urban sprawl and resultant vehicular traffic, congestion, air pollution, and energy waste.

There is no doubt that all municipalities critically need to find tangible solutions to the problems represented by urban decay and the presence of Brownfields sites. These are enormous challenges because:

- Municipalities often lack the technical expertise on the regulatory and legal details of the Brownfields problems and require assistance in building capacity.
- Municipalities often lack the means to capitalize upon and promote new opportunities for local job creation and business development, particularly in inner city neighborhoods, through training, technical, and financial assistance.
- Municipalities often lack the capacity to identify and develop new and innovative financing strategies.
- Municipalities often lack adequate mechanisms for ensuring full participation of the community and other stakeholders
- Municipalities are themselves often beset with difficult to resolve liability problems.

In short, the vast majority of local governments lack the capacity and resources to develop effective strategies for dealing with the multitude of Brownfields within their jurisdiction. Local governments must be empowered to find a radically different approach to solving urban revitalization/Brownfields problems; this entails full involvement of impacted communities, new partnerships, and adequate resources.

In the eyes of many State governments, Brownfields redevelopment is an exciting initiative because it allows us to envision the passage of unused, polluted real estate through a sound environmental cleanup, and culminate to a usable property which can make a difference in peoples' lives. Such a process must, at an early stage, pass through a successful environmental cleanup in order to proceed on to an outcome where the real value to people is achievable. If the cleanup is delayed or impaired, the whole project would suffer. States request that it be understood that regulatory management and oversight at any specific Brownfields site will not be provided by the federal government but by the State voluntary cleanup program office. Because virtually no potential Brownfields sites are on the National Priorities List, the federal government's direct involvement in actual site cleanup may be minimal. Thus, if too few participants understand that there is a key state role to be executed at a critical early nexus of the Brownfields process, i.e., the execution of a sound cleanup, there is danger that delays could result from a lack of early communications with state voluntary program offices regarding coordination, early identification of acceptable remedies, and arrangements to meet state cleanup standards and procedures.

American Indians, Alaskan Natives, and other indigenous peoples have a unique cultural and legal relationship to the United States that deserve special consideration. Despite federal agency mandates to fulfill the trust responsibility to Tribes that reflect the government-to-government relationship, Tribes have not been treated equitably compared to states. As a result, many Tribes do not have

environmental infrastructures to stop degradation of the environment and remediate environmental damage. These lands, which are among the most impoverished in the nation, are subjected to a broad range of environmental problems including illegal dumping, hazardous waste disposal, surface and groundwater contamination, air pollution, leaking underground and above ground storage tanks, military pollution and threats, mining wastes, habitat destruction and human health risks. Inadequate funding from the Federal government has led to many environmental problems which tribes face today. Environmental justice with tribes must assure the right of tribes to protect, regulate and manage their environmental resources.

In addition, there are special concerns for Native Americans who have been relocated to urban areas and who are no longer functioning within tribal government jurisdiction. The Federal responsibility for the well-being of these individuals is not limited to the boundaries of tribal lands. Accordingly, it is important for EPA and other agencies with such responsibilities to assure that urban revitalization programs provide appropriate participation and visibility for this group of community concerns.

Another area deserving of special attention are Brownfields issues in U.S. Territories. For example, Brownfields sites may exist in significant numbers in Puerto Rico. Moreover, the Subcommittee believes that territories are similar to American Indian Tribes in terms of their environmental infrastructure needs.

The present Brownfields pilot projects are totally dependent on full participation of local, state, tribal, and territorial Governments for planning and implementation activities. Under existing law EPA looks to state, local, tribal, and territorial governments as the legal operating entity for the implementation of Brownfields program grants. Because these entities are the receiving source of funds it is clear that they are the principal organizations which must form the community partnerships that will enable successful Brownfields programs to come into fruition. Moreover, as the governmental entities where the affected communities are located, the participation of the local, state, tribal, and/or territorial government is essential to the effective outcome of any urban revitalization/Brownfields strategy.

Unfortunately there is much evidence of lack of communications and distrust between government organizations and communities concerned with the Brownfields programs. The Subcommittee found during its hearings that this distrust is not in the distant past, but is a continuing barrier to EPA's effective implementation of this program. How to bring the various community interests together with the necessary operating government officials was a recurring theme of all the Public Dialogues, and to a certain extent, the dominant theme at more than one of them. Since the government organizations, or some other entity created by them will be the moving force behind urban cleanup efforts, it is a serious challenge to design a protocol that will move beyond the lack of communications and distrust into meaningful communications and positive action by all the concerned parties.

SPECIFIC RECOMMENDATIONS:

9-1. *Improve coordination between and among multiple levels of government (federal, state, local, tribal, and territorial) to enable an integrated approach to Brownfields as part of overall community revitalization efforts.*

9-2. *Collaborate with local, state, tribal, and territorial governments to streamline, consolidate, and provide predictability in Brownfields regulations, while assuring full protection of public health and the environment.*

9-3. *Support and develop strategies to finance local cleanup, including direct funding, incentives, private sector investment, and innovative public financing.*

9-4. *Assist local governments to identify and target environmentally sound industries and incorporate pollution prevention in Brownfields redevelopment projects.*

9-5. *Work with local governments to promote community-based environmental protection.*

9. ACTION ITEMS

- ☐ 9a. Support pilot projects to local, state, tribal, and territorial governments that foster and integrate community involvement in Brownfields redevelopment and target sustainable jobs for the local community.
- ☐ 9b. Assist communities in applying for Brownfields assistance programs to achieve early coordination with state and local cleanup agencies who will oversee the actual cleanup at non-NPL sites.
- ☐ 9c. Work with local, state, tribal, and territorial governments to build capacity to address Brownfields issues, through enhanced technical assistance, staff exchanges through the Intergovernmental Personnel Act (IPA), training, and pilot projects.
- ☐ 9d. Specify a requirement in federal grants and other assistance to parties engaged in arranging site cleanups under the federal Brownfields assistance to comply with all applicable state and local statutes and regulations in conducting that cleanup.
- ☐ 9e. Provide training environmental justice issues are considered in federally-supported programs and grants, such as the Empowerment and Enterprise Zone programs, block grants, and restoration of federal facilities.
- ☐ 9f. Ensure that environmental justice issues are considered in federally-supported programs and grants, such as the Empowerment and Enterprise Zone programs, block grants, and restoration of federal facilities.
- ☐ 9g. Develop a Brownfields grants program specifically designed to meet the special needs of Native American Tribes and U.S. Territories.

10. Federal Interagency Cooperation, Programmatic Integration, and Government Reinvention

The original and most enduring proponents of government reinvention are community residents engaged in overcoming systemic impediments to locally-based solutions. A resounding theme of the Public Dialogues was the need for federal interagency cooperation and coordination. Different federal programs must be integrated in the context of problems defined by the community. By definition, genuine government reinvention cannot take place unless it is a community-driven process.

The heart and soul of an authentic government reinvention process is the many vibrant and coherent community-based visions of healthy and sustainable communities. The Public Dialogues illustrated this fact must be applied to issues of the role of different federal agencies. Communities begin with a holistic understanding of their history, needs, assets, and aspirations. They see issues such as consideredup sites, creating jobs, ensuring decent housing, ensuring investment and economic development, and ending the debilitating effect of racism as cross-cutting and inseparable issues. Such community-based visions provide the compass for public policy discourse on the role of the federal government and government restructuring.

There already exists many federal policy and program initiatives which lend themselves to viable integrative strategies. These include EPA's "targeted geographic initiatives" and "community-based environmental protection," HUD's "empowerment zones/enterprise communities" and "livable cities," DOT's "livable communities," and CDC's "healthy homes, healthy communities, and healthy peoples" concepts. Similar such policy and program initiatives exist in literally every federal agency seriously attempting to address place-based, multi-faceted, and cross-cutting issues such as urban revitalization and Brownfields.

"I want to introduce into the record a paper recently published on collaborative processes for community improvement. It can easily be applied to the Brownfields question. The author speaks to the need for articulating the role of the community as the central initiator and guider in the process. He argues that we have a number of interactions between federal government, local governments, academic institutions, and communities. Many of us do networking on a regular basis. But there is a higher level of interacting called coordination, i.e., trying to work across federal agencies and do some planning together. There is a next level called cooperation, e.g., perhaps setting budget priorities in more thoughtful and flexible ways. The paper advances the idea of an entire level of interaction called collaborative empowerment. This is something new; it gets to the heart of some of the debates about environmental justice.

"The communities who are grappling with disproportionate impacts on their environment, their health, and their future, must be the organizations that set the goals and objectives as to what will occur in their communities. Those of us--be it from federal agencies, academic institutions, foundations, or otherwise--need to interact from the position of helping to evolve those goals into a larger empowerment and betterment mode. After the communities have established goals and objectives, it is time for sitting down, doing an analysis of the available pool of resources, and how they will bring these resources to the table in a way that elevates the contribution of the community itself.

"This paper argues that the first element of community-based goal setting is a discussion about values... This is not often a starting point for discussions about environmental health research, but I do believe there are hopeful signs for the future in this arena. The first is the [Federal] Interagency Working Group on Environmental Justice Task Force for Model Projects. One of the mandatory characteristic of a project is to seek involvement of representatives from adversely impacted populations in all phases of the projects--[from] initiation, design, conduct, and [through] evaluation. We have not yet implemented these mandatory characteristics in all models of our interagency projects. But I think the principle is available for everybody to challenge the federal government on."

Gerry Poje

National Institute for Environmental Health Sciences
Atlanta, GA, Public Dialogue

Executive Order 12898 on environmental justice presents a logical opportunity to begin that process. For this reason, the NEJAC adopted a resolution calling upon EPA to:

"request that the development of one unified, integrated, and cross-cutting strategy to address issues of urban revitalization and the development of healthy and sustainable communities be made a priority agenda item for the implementation of Executive Order 12898 and the Interagency Working Group on Environmental Justice."²²

In addition, the Subcommittee sees great value in interfacing with the Federal Facility Environmental Restoration Dialogue Committee (FFERDC). In December 1995, the Subcommittee began a formal dialogue with members of FFERDC. We believe that the federal facilities cleanup process has developed many lessons which apply directly to the Brownfields Initiative. There is an entire body of protocols and knowledge about community participation, environmental cleanup, and ecological restoration issues developed as a result of this process.²³ Moreover, there are linkages between federal facility cleanup, urban revitalization, and Brownfields which must be tapped to achieve the full societal benefit of these programs. We believe that similar processes should be taking place with other federal agencies and initiatives as well.

The urban crisis--in which Brownfields issues are embedded-- is systemic in nature. Efforts to resolve any single problem are doomed to failure if they are not integrated into a multi-faceted strategy. Government must be reinvented to address this reality. Government reinvention cannot merely be talk. The American electorate is absolutely correct in rejecting wastefulness, inefficiency, and bureaucratic insensitivity. However this does not mean that they are adverse to making sound investments for a better future. They demand decision making processes which have integrity and to which they are connected. There exists widespread anxiety about our common future and people seek authentic signs of hope.

EPA and other federal agencies must be committed to developing a unified set of strategies which will provide an authentic sign of hope and thus prove capable of imbuing the American people with a sense of a new ennobling nation mission. The Subcommittee posed the following question: What is the importance of having a coherent, unified, multi-faceted, and energizing urban revitalization strategy which can provide an anchor for mobilization of non-governmental resources?

SPECIFIC RECOMMENDATIONS:

10-1. *Develop a strategy to coalesce a unified federal strategy consisting of all relevant federal agencies to meet the challenge of revitalizing urban America.*

10-2. *Ensure that leadership of all federal agencies visibly project the importance of interagency cooperation and coordination, with a strong message about the overarching importance of interagency coordination and cooperation. Given the cross-cutting and interrelated nature of the urban crisis, the success of urban revitalization, Brownfields and other initiatives are dependant for their success on the fullest possible interagency cooperation and coordination. Given the understanding anxiety these issues cause for federal agency staff, strong leadership must be come from the top on the need for reinventing government.*

10-3. *Provide opportunities for communities to systematically engage EPA and other federal agencies in ways in which they can coordinate programs, pool resources, and tap into expertise.*

10-4. *Utilize Executive Order 12898 on environmental justice and the Federal Interagency Working Group on Environmental Justice as a mechanism to build partnerships and to coalesce a unified national strategy across all federal agencies.*

10-5. *Ensure programmatic integration between Brownfields and other EPA programs. Integrate place-based approaches to environmental protection with sector-based approaches and their implications for industrial policy.*

10-6. Establish a Working Group that specifically consists of federal agencies that have Indian Programs and Indian mandates. This working group could be part of the Interagency Working Group on Environmental Justice.

10-7. Recognize in all key issues and recommendations the requirements outlined in Presidential Executive Order No. 12897, issued May 24, 1996, which promotes accommodation of access to Native American sacred sites by Indian religious practitioners and provides additional protection for the physical integrity of such sites.

10. ACTION ITEMS

- ☐ 10a. Compile an inventory of all federal policy and program initiatives which are relevant to urban revitalization and Brownfields; such an inventory can serve as a road-map for communities.
- ☐ 10b. Build a series of bi-lateral partnerships such that together they achieve a critical mass for coalescing a unified strategy capable of tapping multiple resources and expertise; partners should include DOT, HUD, DoD, DOE, HHS, Centers for Disease Control, NIEHS, the Federal Deposit Insurance Corporation, DOL, the Occupational Health and Safety Administration, the National Institutes for Occupational Safety and Health, the Economic Development Administration, DOI, DOJ, DOA, and the U.S. Department of Education.
- ☐ 10c. Form partnerships to work in an interagency manner on regional and local levels, particularly in Brownfields pilot project cities--support "one stop shopping" at the community level for all federal agencies.
- ☐ 10d. Establish an interagency task force on urban revitalization and Brownfields redevelopment, working through either the Interagency Working Group on Environmental Justice (EWG) or other appropriate mechanisms.

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